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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/552,511	10/06/2005	Takeshi Takada	032404-085	2404
21839 7590 06/06/2007 BUCHANAN, INGERSOLL & ROONEY PC POST OFFICE BOX 1404 ALEXANDRIA, VA 22313-1404			EXAMINER PATEL, DHIRUBHAI R	
			ART UNIT 2831	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/552,511

Applicant(s)

TAKADA ET AL.

Examiner

DHIRU R. PATEL

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/9/07 LR
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 6-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103 (a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

1. Claims 6- 8 and 11-14 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Wang (4,729,059) in view of Jacks (7,186,916).

Wang discloses:

Regarding claim 6, a case 1(see fig 2, column 1 lines 60-68 and entire abstract) and an outer lid 2 (see fig 2, column 1 lines 60-68) and a removal knockout type cable cover 11, 11' is arranged in the case (see figs 2 and 5, column 1 lines 60-68),

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comprising: an inner lid 3 that covers to close an electric circuit (a circuit board, see column 2 lines 3-40, not shown) that is housed in the case (see fig 2, and entire column 2), a cable base 4 provided in the case for insertion of an output cable, wherein the output cable is held between the cable base and the inner lid, and the inner lid and output cable are fixed by screws to the cable base (see figs 2-3 and entire column 2, please note that Wang disclosed that said inner lid 3 having screw 31, see fig 2 and figs 2 and 5 shows a screw for telephone line wire being connected to a base 44 using a screw), but fails to disclose said case and said outer lid being made from a thermoplastic resin. Jacks teaches the use of junction box 10 made from a thermoplastic resin (see column 3 lines 40-50), and It is well known in the electrical art to use a case and lid being made from thermoplastic resin because of light weight, and It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the assembly of Wang with said case and said outer lid being made from a thermoplastic resin as taught by Jacks in order to provide a light weight and it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. In re Leshin, 125 USPQ 416.

Regarding claim 7, the modified assembly of Wang disclose all the features of the claimed invention as shown above, including the inner lid being formed with a flame-retardant material (see column 6 lines 53-57 of Jacks) and also, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the modified assembly of Wang with said inner lid being made from a flame retardant material in order to protect electrical components during fire, and it has been held to be within the general skill of a worker in the art

to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. In re Leshin, 125 USPQ 416.

Regarding claim 8, the modified assembly of Wang disclose all the features of the claimed invention as shown above, including a terminal block 12-15 to connect a terminal base that is included in the electric circuit and an electric wire of the output cable (a terminal block is an inherent feature of the circuit board), with respect to a thermosetting resin. It is well known in the electrical art to use thermo setting resin because of light weight and It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the modified assembly of Wang with an electric wire of an output cable being being made from a thermosetting resin, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. In re Leshin, 125 USPQ 416.

Regarding claim 11, the modified assembly of Wang discloses all the features of the claimed invention as shown above, including wherein the removal cable cover includes an annular groove (not number) that is formed in a side plate (see fig 5 of Wang).

Regarding claim 12, the modified assembly of Wang disclose all the features of the claimed invention as shown above, including wherein the removal cable cover includes a groove to put a tip of a rod shaped knockout tool in a disk part inside the annular groove (see fig 5 of Wang).

Regarding claim 13, the modified assembly of Wang disclose all the features of

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the claimed invention as shown above, including wherein the outer lid has no openings therein (see fig 5 of Wang).

Regarding claim 14, the modified assembly of Wang disclose all the features of the claimed invention as shown above, including wherein the inner lid has a convex tip that covers over the cable base, and the output cable is held between the cover base and the convex tip (see fig 2a of Wang).

2. Claims 9-10 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Wang (4,729,059) in view of Jacks (7,186,916) as applied to claim 6, and further in view of Weiss et al (6,765,147).

Wang discloses:

Regarding claims 9-10, the modified assembly of Wang disclose all the features of the claimed invention as shown above, including an annular groove that is formed in a side plate (see fig 5 of Wang), but fails to disclose a rod shaped knockout tool being formed in a disk part inside the annular groove (for claim 9) and wherein the knockout tool is a screwdriver (for claim 10). Weiss et al teach the use of a rod shaped knockout tool and the knockout tool is a screwdriver in order to twist the knockout free of the housing without the need to apply an impact force(see entire abstract). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the modified assembly of Wang with a rod shaped knockout tool is formed in a disk part inside the annular groove (for claim 9), and a knockout tool is a screwdriver as taught by Weiss et al in order to twist the knockout free of the housing without the need to apply an impact force.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Response to Arguments

4. Applicant's arguments with respect to claims 6-14 have been considered but are moot in view of the new ground(s) of rejection.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **DHIRU R. PATEL** whose telephone

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number is 571-272-1983. The examiner can normally be reached on M-TH, 6:30 TO 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on 571-272-1984. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


DHIRU R PATEL
Primary Examiner
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